

§ 47.44

(c) No amendments or alteration of a permit may be made, except by the Director. No photographic or other copy of an original permit, unless certified by the Director, may be used to effect Customs release.

[T.D. ATF-8, 39 FR 3251, Jan. 25, 1974, as amended by T.D. ATF-325, 57 FR 29787, July 7, 1992]

§ 47.44 Permit denial, revocation or suspension.

(a) Import permits under this subpart may be denied, revoked, suspended or revised without prior notice whenever the Director finds the proposed importation to be inconsistent with the purpose or in violation of section 38, Arms Export Control Act of 1976 or the regulations in this part.

(b) Whenever, after appropriate consideration, a permit application is denied or an outstanding permit is revoked, suspended, or revised, the applicant or permittee shall be promptly advised in writing of the Director's decision and the reasons therefor.

(c) Upon written request made within 30 days after receipt of an adverse decision, the applicant or permittee shall be accorded an opportunity to present additional information and to have a full review of his case by the Director.

(d) Unused, expired, suspended, or revoked permits must be returned immediately to the Director.

[T.D. ATF-8, 39 FR 3251, Jan. 25, 1974, as amended by T.D. ATF-215, 50 FR 42161, Oct. 18, 1985]

§ 47.45 Importation.

(a) Articles subject to the import permit procedures of this subpart imported into the United States may be released from Customs custody to the person authorized to import same upon his showing that he has a permit from the Director for the importation of the article or articles to be released. In obtaining the release from Customs custody of an article imported pursuant to permit, the permit holder shall prepare Form 6A, in duplicate, and furnish the original and copy to the Customs officer releasing the article. The Customs officer shall, after certification, forward the original Form 6A to the address specified on the form.

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(b) Within 15 days of the date of their release from Customs custody, the importer of the articles released shall forward to the address specified on the form a copy of Form 6A on which shall be reported any error or discrepancy appearing on the Form 6A certified by Customs.

(Approved by the Office of Management and Budget under control number 1512-0019)

[T.D. ATF-215, 50 FR 42161, Oct. 18, 1985]

§ 47.46 Articles in transit.

Articles subject to the import permit procedures of this subpart which enter the United States for temporary deposit pending removal therefrom and such articles which are temporarily taken out of the United States for return thereto shall be regarded as in transit and will be considered neither imported nor exported under this part. Such transactions are subject to the Intransit or Temporary Export License procedures of the Department of State (see 22 CFR Part 123).

[T.D. ATF-8, 39 FR 3251, Jan. 25, 1974, as amended by T.D. ATF-215, 50 FR 42161, Oct. 18, 1985]

Subpart F—Miscellaneous Provisions

§ 47.51 Import certification and delivery verification.

Pursuant to agreement with the United States, certain foreign countries are entitled to request certification of legality of importation of articles on the U.S. Munitions Import List. Upon request of a foreign government, the Director will certify the importation, on Form ITA-645P/ATF-4522/DSP53, for the U.S. importer. Normally, the U.S. importer will submit this form to the Director at the time he applies for an import permit. This document will serve as evidence to the government of the exporting company that the U.S. importer has complied with import regulations of the U.S. Government and is prohibited from diverting, transshipping, or reexporting the material described therein without the approval of the U.S. Government. Foreign governments may also require

documentation attesting to the delivery of the material into the United States. When such delivery certification is requested by a foreign government, the U.S. importer may obtain directly from the U.S. District Director of Customs the authenticated Delivery Verification Certificate (U.S. Department of Commerce Form ITA-647P) for this purpose.

(Approved by the Office of Management and Budget under control number 0625-0064)

[T.D. ATF-215, 50 FR 42162, Oct. 18, 1985]

§ 47.52 Import restrictions applicable to certain countries.

(a) It is the policy of the United States to deny licenses and other approvals with respect to defense articles and defense services originating in certain countries or areas. This policy applies to Cuba, Iran, Iraq, Libya, Mongolia, North Korea, Sudan, Syria, Vietnam, and some of the states that comprised the former Soviet Union (Armenia, Azerbaijan, Belarus, and Tajikistan). This policy applies to countries or areas with respect to which the United States maintains an arms embargo (e.g., Burma, China, the Federal Republic of Yugoslavia (Serbia and Montenegro), Haiti, Liberia, Rwanda, Somalia, Sudan, UNITA (Angola), and Zaire). It also applies when an import would not be in furtherance of world peace and the security and foreign policy of the United States.

NOTE: Changes in foreign policy may result in additions to and deletions from the above list of countries. The ATF will publish changes to this list in the FEDERAL REGISTER. Contact the Firearms and Explosives Imports Branch at (202) 927-8320 for current information.

(b) Notwithstanding paragraph (a) of this section, the Director shall deny applications to import into the United States the following firearms and ammunition:

(1) Any firearm located or manufactured in Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russian Federation, Turkmenistan, Ukraine, or Uzbekistan, and any firearm previously manufactured in the Soviet Union, that is not one of the models listed below:

- (i) Pistols/Revolvers:
 - (A) German Model P08 Pistol.
 - (B) IZH 34M, .22 caliber Target Pistol.
 - (C) IZH 35M, .22 caliber Target Pistol.
 - (D) Mauser Model 1896 Pistol.
 - (E) MC-57-1 Pistol.
 - (F) MC-1-5 Pistol.
 - (G) Polish Vis Model 35 Pistol.
 - (H) Soviet Nagant Revolver.
 - (I) TOZ 35, .22 caliber Target Pistol.
 - (ii) Rifles:
 - (A) BARS-4 Bolt Action Carbine.
 - (B) Biathlon Target Rifle, .22LR caliber.
 - (C) British Enfield Rifle.
 - (D) CM2, .22 caliber Target Rifle (also known as SM2, 22 caliber).
 - (E) German Model 98K Rifle.
 - (F) German Model G41 Rifle.
 - (G) German Model G43 Rifle.
 - (H) IZH-94.
 - (I) LOS-7 Bolt Action Rifle.
 - (J) MC-7-07.
 - (K) MC-18-3.
 - (L) MC-19-07.
 - (M) MC-105-01.
 - (N) MC-112-02.
 - (O) MC-113-02.
 - (P) MC-115-1.
 - (Q) MC-125/127.
 - (R) MC-126.
 - (S) MC-128.
 - (T) Saiga Rifle.
 - (U) Soviet Model 38 Carbine.
 - (V) Soviet Model 44 Carbine.
 - (W) Soviet Model 91/30 Rifle.
 - (X) TOZ 18, .22 caliber Bolt Action Rifle.
 - (Y) TOZ 55.
 - (Z) TOZ 78.
 - (AA) Ural Target Rifle, .22LR caliber.
 - (BB) VEPR Rifle.
 - (CC) Winchester Model 1895, Russian Model Rifle;
 - (2) Ammunition located or manufactured in Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russian Federation, Turkmenistan, Ukraine, or Uzbekistan, and ammunition previously manufactured in the Soviet Union, that is 7.62X25mm caliber (also known as 7.63X25mm caliber or .30 Mauser); or
 - (3) A type of firearm the manufacture of which began after February 9, 1996.
- (c) The provisions of paragraph (b) of this section shall not affect the fulfillment of contracts with respect to firearms or ammunition entered or withdrawn from warehouse for consumption